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EXAMINER

BELOUSOV, ANDREY

ART UNIT

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2174

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12/05/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/815,067

Applicant(s)

YOUNG ET AL.

Examiner

ANDREY BELOUSOV

Art Unit

2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 July 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 29-48 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 29-48 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

This action is responsive the amendment filed on 7/30/2008. Claims 29-48 are pending.

Claim Objections

1. Claims 38, 39, and 45 are objected to because of the following informalities: In Claim 38, the amended claim language on line seven, "and may be placed on the canvas at least one of:" appears to omit an additional "at".
2. Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 29-37 are rejected under 35 U.S.C. 102(b) as being anticipated by Excel (Microsoft® Excel 2000, Copyright (c) 1985-1999 Microsoft Corp.)

Claim 29: Excel discloses a grid canvas, comprising

- a. a canvas (Fig. 5: white surface area);
- b. a gridline on the canvas (Fig. 5: gridline between B and C), wherein the gridline is one of a plurality of components (Fig. 5: cells, tabs, etc.) on the canvas;

- c. a user-interface element (an element with which a user can interface (i.e. interact) Fig. 5: box) that spans multiple cells on the canvas, wherein the user-interface element is one of the plurality of components on the canvas; and
- d. a property (e.g. geometric, See Fig. 7) of the gridline, wherein the property is a relationship of the gridline to the user-interface element on the canvas (Fig. 7), and the relationship is maintained between the gridline and the user-interface element (Fig. 6-8.)

Claim 30: Excel discloses the grid canvas according to claim 29, wherein the gridline is defined by at least one of: a row; a column; or at least one row and at least one column (Fig. 5.)

Claim 31: Excel discloses the grid canvas according to claim 30, wherein the row or the column are, respectively, a virtual row or virtual column (Fig. 5.)

Claim 32: Excel discloses the grid canvas according to claim 29, further comprising a gridline bounding box (Fig. 5, bolded box) that includes the element.

Claim 33: Excel discloses the grid canvas according to claim 32, wherein the gridline bounding box comprises a plurality of rows (Fig. 5, 2-5) and columns (Fig. 1, B-C) that contain the user-interface element.

Claim 34: Excel discloses the grid canvas according to claim 32, further comprising margin settings within the gridline bounding box for providing desired offsets to the user-interface element (Fig. 9.)

Claim 35: Excel discloses the grid canvas according to claim 29, wherein a gridline defines a border of the canvas (Fig. 5.)

Claim 36: Excel discloses the grid canvas according to claim 29, wherein the relationship of the gridline to the user-interface element on the canvas is defined as an explicit value (Fig. 8 Width: 14.00 (103 pixels).)

Claim 37: Excel discloses the grid canvas according to claim 29, wherein the relationship of the gridline to the user-interface element on the canvas is defined as an auto value (the width of cells (elements) is an auto default of 64 pixels wide; Fig. 5.)

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 38-48 rejected under 35 U.S.C. 103(a) as being unpatentable over Excel.

Claim 38: Excel discloses a method for creating a grid canvas, comprising

- a. identifying a canvas (Fig. 5: white surface area. Identification (by Excel) is inherent in order to display the program on the display as shown);
- b. defining a virtual gridline (Fig. 5: gridline between B and C) on the canvas, wherein the virtual gridline is one of a plurality of components (Fig. 5: cells, tabs, etc.) on the canvas;
- c. identifying a user-interface element (an element with which a user can interface (i.e. interact) Fig. 5: box) that spans multiple cells on the canvas, wherein the user-interface element is one of the plurality of components on the canvas and may be placed on the canvas at least one of:
 - a. before the virtual gridline is defined, or
 - b. after the virtual gridline is defined (Fig. 5, the element was placed after the default virtual gridline in displayed in Excel on startup);
- d. identifying a relationship (e.g. geometric, See Fig. 7) of the virtual gridline to the user-interface element on the canvas;
- e. changing a property of at least one of: the canvas, or the at least one of the plurality of components on the canvas (e.g. Fig. 1: expanding cell D10); and
- f. maintaining the relationship of the virtual gridline to the user-interface element on the canvas (Fig. 1,) wherein the relationship is bi-directional, and:
 - a. moving the gridline will resize the user-interface element (Fig. 6-8.)

However, Excel does not explicitly disclose wherein, resizing the user-interface element will move the gridline. Excel does disclose that the resizing of the user-interface

element would move a gridline, such as shown in Fig. 9 (Fig. 7: 70, Fig. 10; changing the size via the "Size" panel, moves the gridlines surrounding the element correspondingly.) Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the two teachings in Excel in a fashion that the virtual gridline (such as one between columns B and C) would move in accordance with the changes in the element size. One would have been motivated to combine the teachings of Excel so as to dynamically and continuously encapsulate the element within the cell as the element and/or gridline is changed.

Claim 39: Excel discloses the method according to claim 38, wherein the step of identifying a relationship of the virtual gridline to the user-interface element on the canvas is repeated for a plurality of virtual gridlines and a plurality of user-interface elements (Fig. 1. It is inherent that a plurality of elements can be placed on the canvas. Identification (by Excel) is inherent in order to display the program on the display as shown.)

Claim 40: Excel discloses the method according to claim 38, further comprising adding a virtual gridline dynamically (i.e. continuously) to the canvas (Fig. 5: changes in the cells cause dynamic updating of gridlines.)

Claim 41: Excel discloses the method according to claim 38, further comprising: overlaying a grid on the canvas (Fig. 5), wherein the grid comprises a plurality of virtual

gridlines (Fig. 5); identifying a relationship (Fig. 5: position of the gridline to the boundary of the element) of at least one of the plurality of virtual gridlines to at least one of the plurality of components on the canvas.

Claim 42: Excel discloses the method according to claim 38, further comprising adding a component on the grid (Fig. 1. It is inherent that a plurality of additional components can be placed on the canvas, such as the "2+2" element.)

Claim 43: Excel discloses the method according to claim 38, further comprising: placing the virtual gridline on the canvas according to a predetermined relationship of the virtual gridline to at least one of the plurality of components on the canvas (gridline is placed to outline the cells: Fig. 1.)

Claim 44: Excel discloses the method according to claim 38, further comprising placing the virtual gridline on the canvas (selection of "Gridlines" options overlays a grid, Fig. 2); identifying a relationship of the virtual gridline to at least one of the plurality of components on the canvas according to the placement of the gridline on the canvas (Fig. 1: position of the gridline to the boundary of the element.)

Claim 45: Excel discloses the method according to claim 38, further comprising adding a component to the canvas; maintaining the relationship of the virtual gridline to the

element on the canvas (Fig. 1: It is inherent that a plurality of additional components can be placed on the canvas, such as the "2+2" element.)

Claim 46: Excel discloses the method according to claim 38, wherein the virtual gridline is defined by a plurality of rows and columns (Fig. 5) that define a plurality of virtual cells (Fig. 1: A1-H25), and at least one of the plurality of components (Fig. 3: "USPTO banner") spans a plurality of the virtual cells (Fig. 3: B14-H16.)

Claim 47: Excel discloses the method of claim 46, further comprising adding a component to the canvas, wherein the added component inhabits at least one of the same cells of the plurality of virtual cells inhabited by the at least one of the plurality of components (Fig. 4.)

Claim 48: Excel discloses the method of claim 38, further comprising determining a virtual gridline bounding box for the element (Fig. 5: bolded box.)

Response to Arguments

7. Applicant's arguments filed 7/30/2008 have been fully considered but they are not persuasive.
8. Applicant argues that Excel does not teach "a user-interface element that spans multiple cells on the canvas", and in particular that an element such as an image (as shown in Fig. 3 and 5) is not a *user-interface* element. The Examiner respectfully

disagrees. The element disclosed in Figures 3 and 5 is interactable by the user, and as such would constitute an element of a user-interface.

9. Applicant further argues that Excel does not indicate that the image of Fig. 3 may be placed on the canvas before a virtual gridline is defined or after a virtual gridline is defined on the canvas. The Examiner respectfully disagrees. Claim 38 recites that the placement on the canvas is "at least one of", and as such for a prior art to anticipate this particular limitation, it is sufficient that the element is placed after the gridline is defined, as is the case in Excel.

10. Applicant's argument with regard to a bi-directional relationship is moot in light of new grounds of rejection for this claim limitation as set forth above.

Conclusion

11. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew Belousov whose telephone number is (571) 270-1695. The examiner can normally be reached on Mon-Fri (alternate Fri off) EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-3800. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Steven P Sax/
Primary Examiner, Art Unit 2174

AB

October 24, 2008